

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-6 are pending in this paper. Claim 7 is canceled without prejudice or disclaimer of subject matter.

No new matter has been introduced. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Applicants submit an English translation of Japanese Patent Application 2002-089337, which Applicants claim a priority to.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2003/0172382 to Kim (hereinafter, merely “Kim”) and in view of U.S. Patent No. 6,169,543 to Wehmeyer (hereinafter, merely “Wehmeyer”).

III. RESPONSE TO REJECTIONS

Applicants respectfully submit that Kim is not prior art.

The Application was filed in U.S. on September 23, 2004, which is a PCT international application filed on February 26, 2003, that claims a priority to Japanese Patent Application 2002-089337, which was filed on March 27, 2002.

Kim is a U.S. patent Application filed on January 8, 2003 and was published on September 11, 2003.

Since Kim was published on September 11, 2003, which is after Applicants' claimed priority date of March 27, 2002 and is not one year earlier than Applicants' U.S. filing date of September 11, 2003, Kim is not prior art under 102(a) or 102(b). Since Kim was filed on January 8, 2003, which is after Applicants' claimed priority date of March 27, 2002, Kim is not a prior art under 102(e).

Therefore, Applicants respectfully submit that each of the above-rejections relied on Kim is invalid.

Therefore, Applicants respectfully submit that claims 1-6 are patentable.

CONCLUSION

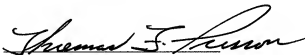
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800